

FILED

COMPLAINT

2008 AUG -1 AM 10:09

UNITED STATES DISTRICT COURT

FOR THE

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY CAH DEPUTY

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 2366

UNITED STATES OF AMERICA

COMPLAINT FOR VIOLATION OF

v.

U.S.C. Title 18 Section 2113(a)

MURREL WAYNE VAILES

Bank Robbery

BEFORE Jan M. Adler

San Diego, California

NAME OF MAGISTRATE

ADDRESS OF MAGISTRATE

THE UNDERSIGNED COMPLAINANT BEING DULY SWORN STATES:

That on or about July 15, 2008, San Diego, California, within the Southern District of California:

MURREL WAYNE VAILES

did by force, violence and intimidation unlawfully take from the person and presence of employees at the Mission Federal Credit Union, 599 Telegraph Canyon Road, Chula Vista, California, United States currency in the sum of \$6,152.00, belonging to, or in the care, custody, management or possession of the Mission Federal Credit Union, whose deposits were then insured by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113 (a);

And the complainant states that this complaint is based on the attached affidavit which is incorporated herein by reference.

Kevin J. Strauss
Kevin J. Strauss
Special Agent, FBI

Sworn to before me, and subscribed in my presence on this
1st day of July, 2008.

United States Magistrate Judge

CONTINUATION OF COMPLAINT:
UNITED STATES VS. MURREL WAYNE VAILES

AFFIDAVIT

I, Kevin J. Strauss, Special Agent (SA) of the Federal Bureau of Investigation (FBI), being duly sworn, depose and say:

1. I am currently assigned to violent crimes investigation in the San Diego Field Division of the FBI. I have been employed by the FBI as an SA for four years. The information contained in this affidavit is based upon my personal knowledge and on the information I have learned from reviewing official reports and speaking with local and federal law enforcement officers and individuals.

2. This affidavit is in support of a Complaint for MURREL WAYNE VAILES, black male, date of birth June 21, 1977, for violation of Title 18 of the United States Code, Section 2113(a), Bank Robbery.

3. On Tuesday, July 15, 2008, at approximately 9:00 a.m., the affiant responded to the report of a robbery at the Mission Federal Credit Union, 599 Telegraph Canyon Road, Chula Vista, California.

4. The affiant has reviewed the report of the victim teller from Mission Federal Credit Union, 599 Telegraph Canyon Road, Chula Vista, California, who advised as follows:

a. On July 15, 2008 shortly before 9:00 a.m., the victim teller approached the entrance to Mission Federal Credit Union. The teller observed an unknown black male sitting on the bench outside the entrance. The teller and the

unknown black male exchanged greetings, and the teller entered the bank. Several minutes later, the teller began working behind the teller counter and observed the same unknown black male enter the bank. The teller offered to assist him.

b. The unknown black male approached the teller and asked if he could exchange a five dollar bill for nickels. The teller asked for his Mission Federal Credit Union account number, but the man replied that he did not have it. The teller asked for the man's social security number, and he whispered a partial number with the last two digits missing. The teller asked the man to repeat the full social security number, and he gave the teller a full social security number. While he gave this information, the teller opened the cash drawer to see if there were enough nickels available. At that point, the unknown black male presented a handgun and jumped over the teller counter.

c. The robber repeatedly ordered everyone in the bank to get down on the floor and to not look at him. The robber continued to point the handgun at both the teller and several other employees as well as several customers. The robber elbowed the teller to one side and took cash from the cash drawer while ordering the teller, who by then was crouched on the floor, to not look at him. The teller fearfully hid under the teller counter and the robber jumped over the counter and exited the Mission Federal Credit Union.

5. On July 28, 2008, an anonymous caller informed San Diego FBI that after viewing surveillance video photographs on television and newspapers, the anonymous

individual has personal knowledge of the robber. The anonymous individual named the robber as MURREL VAILES JR., date of birth June 21, 1977. The anonymous individual did not have personal knowledge of the bank robbery, but the anonymous individual recognized VAILES because the anonymous individual knows him. The anonymous individual further advised that VAILES is currently in the vicinity of the 1000 block of Redwood Avenue in El Cajon, California, at an apartment complex. The anonymous individual lastly stated that VAILES is currently associated with a gray car and an unknown black female, and VAILES has a ponytail with wavy hair.

6. On July 29, 2008, the Mission Federal Credit Union victim teller and another Mission Federal Credit Union employee who witnessed the robbery positively identified MURREL WAYNE VAILES from color photographic lineups presented to them separately. A third Mission Federal Credit Union employee who witnessed the robbery was unable to confidently identify MURREL WAYNE VAILES from a color photographic lineup. The same photographic lineups were presented to two separate Mission Federal Credit Union customers who witnessed the robbery. One customer positively identified MURREL WAYNE VAILES from the color photographic lineup. The second customer was unable to identify any of the pictures in the photographic lineup as the robbery suspect. On July 30, 2008, two Chula Vista Police Department Detectives presented the color photographic lineup to a fourth Mission Federal Credit Union employee who witnessed the robbery. The employee positively identified MURREL WAYNE VAILES as the robber.

7. On July 30, 2008, the affiant presented the surveillance photographs of the robber to several San Diego Police Department (SDPD) Gang Task Force officers. One SDPD Gang Task Force officer believed that the robber in the surveillance photographs strongly resembled MURREL WAYNE VAILES. The officer arrested VAILES for prior offenses on September 9, 2007.

8. On July 30, 2008, the affiant presented the same Mission Federal Credit Union robbery surveillance photographs to the State of California Department of Corrections Parole Agent who formerly supervised MURREL WAYNE VAILES. The parole Agent viewed the surveillance photographs and believed the photographs strongly resembled MURREL WAYNE VAILES.

9. VAILES is described as follows:

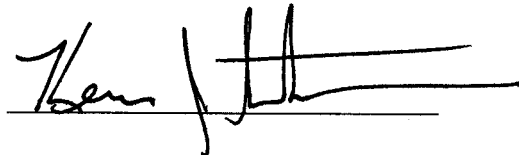
Name:	MURREL WAYNE VAILES
Race:	Black
Sex:	Male
Date of Birth:	June 21, 1977
Social Security Number:	-9807
Height:	5'10"
Weight:	215 pounds
Build:	Big
Hair:	Black
Eyes:	Brown

10. The affiant has confirmed that the deposits of the Mission Federal Credit Union, 599 Telegraph Canyon Road, Chula Vista, California, were insured by the National Credit Union Administration (NCUA), pursuant to certificate number

14384, issued on April 21, 1961. The Mission Federal Credit Union, 599 Telegraph Canyon Road, Chula Vista, California suffered a loss of \$6,152.00 as a result of the robbery. Subsequent investigation recovered \$345.00 of the loot, with a total of \$5,807.00 stolen.

11. The foregoing information and evidence indicates that MURREL WAYNE VAILES, on July 15, 2008, did by force take from the person and presence of employees of Mission Federal Credit Union, 599 Telegraph Canyon Road, Chula Vista, California, the deposits of which were then insured by the NCUA, approximately \$6,152.00 in the United States currency, belonging to and in the care, custody, control, management, and possession of such bank.

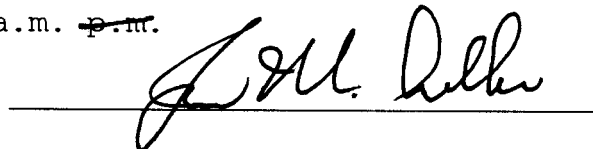
The foregoing is true and correct to the best of my information and belief.



Kevin J. Strauss

Special Agent, FBI

Sworn before me and subscribed in my presence this
31st day of ~~July~~ ^{August}, 2008 at 9:37 a.m. ~~p.m.~~



United States Magistrate Judge